

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eugenio A. Cefali

Examiner: S. Tran

Serial No.: 08/962,421

Group Art Unit No.: 1615

Filing Date: October 31, 1997

Confirmation No.: 8845

For:

Intermediate Release Nicotinic Acid Compositions For Treating Hyperlipidemia Which Exhibit An
In Vivo Stair-Stepped Absorption Curve

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants herewith Petition for a Five-Month Extension of Time to file an Appeal Brief thus extending the due date for response from March 24, 2008 until August 24, 2008. Applicants will not be filing an Appeal Brief but will instead be filing a continuation application. Applicants are authorizing the fee of \$2,230.00 to deposit account number 04-2223.

DyKEMA GOSSETT PLLC
10 South Wacker Drive, Suite 2300
Chicago, Illinois 60606 USA
(312) 876-1700
(312) 627-2302 (facsimile)
www.dykema.com
ipmail@dykema.com

Respectfully submitted,

/Lisa V. Mueller, Reg. No. 38,978/
Reg. No. 38,978
Attorney for Applicant

Date:

August 22, 2008

Direct telephone calls to:

312-627-2184